

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

KENNEDY,

Plaintiff.

v.

Civil No. 5-18-cv-00214

EQUIFAX, et al.,

Defendants.

Memorandum of Points and Authorities in Support of Plaintiff's Motion  
to Compel Assigned Judge to Recuse for Cause

Take Judicial Cognizance

Take Judicial Notice

a. Executive Order Blocking the Property of Persons Involved in Serious Human Rights Abuse or Corruption.<sup>1</sup>

b. Presidential Executive Order on Enforcing Federal Law with Respect to Transnational Criminal Organizations and Preventing International Trafficking.<sup>2</sup>

1. Plaintiff is Edward Thomas Kennedy, is one of the people of Pennsylvania, in this court of record, wishes the Judge assigned to administrate this case to recuse from the case for cause pursuant to 28 U.S.C. § 455(a) and related matters described herein.

2. Pursuant to 28 U.S.C. § 455(a), recusal is mandatory in “any proceeding in which his impartiality might reasonably be questioned.”<sup>3</sup>

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<sup>1</sup>

<https://www.whitehouse.gov/presidential-actions/executive-order-blocking-property-persons-involved-serious-human-rights-abuse-corruption/>

<sup>2</sup>

<https://www.whitehouse.gov/presidential-actions/presidential-executive-order-enforcing-federal-law-respect-transnational-criminal-organizations-preventing-international-trafficking/>

<sup>3</sup> RIPPO v. BAKER, <https://www.law.cornell.edu/supremecourt/text/16-6316#>, and see also Rippo v. Baker, 137 S. Ct. 905 - Supreme Court 2017, link here:

3. Kennedy reasonably questions judicial impartiality of the Judge in this case due to the controversy concerning the fact that the job title is not authorized in the Judiciary Act of 1789<sup>4</sup> and The Universal Charter of the Judge<sup>5</sup> and Executive Orders by Donald J. Trump. President of the United States listed herein.

4. Kennedy also notices this court and modern attorneys listed herein of General Orders No. 100: The Lieber Code<sup>6</sup> and Law of Armed Conflict, Senator Lindsey Graham Questions Brett Kavanaugh Military concerning Law vs Criminal Law.<sup>7</sup>

5. Kennedy also notices this court that the American Bar Association is a Transnational Criminal Organization, a subsidiary of the International Bar Association, and said attorneys in this cases and the Judge's memberships are conflicts of interest concerning modern attorneys in this case listed in the Certificate of Service.

6. Recuse herein means said Judge as unacceptable to be a judge in this case and is mandatory under US law.

7. In this court of record, Said Judge must recuse when requested.

8. Summary: Under the Law of the Case, Exhibit 1, filed in this case by Kennedy and pursuant to 28 U.S.C. § 455(a), recusal is mandatory in "any proceeding in which his

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[https://scholar.google.com/scholar\\_case?case=16357450812613744876&q=RIPPO+v.+BAKER,+&hl=en&as\\_sdt=6,39](https://scholar.google.com/scholar_case?case=16357450812613744876&q=RIPPO+v.+BAKER,+&hl=en&as_sdt=6,39)

<sup>4</sup> The Judiciary Act of 1789, officially titled "An Act to Establish the Judicial Courts of the United States," was signed into law by President George Washington on September 24, 1789.

Article III of the Constitution established a Supreme Court, link here:

<https://www.loc.gov/rr/program/bib/ourdocs/judiciary.html>

<sup>5</sup> Link here <http://www.iaj-uim.org/universal-charter-of-the-judges/>

<sup>6</sup> [http://avalon.law.yale.edu/19th\\_century/lieber.asp](http://avalon.law.yale.edu/19th_century/lieber.asp)

<sup>7</sup> link here: [https://www.youtube.com/watch?v=3\\_gmOsnjrZw&index=25&list=WL&t=0s.](https://www.youtube.com/watch?v=3_gmOsnjrZw&index=25&list=WL&t=0s.), Case cited by Graham and Kavanaugh is here: YASER ESAM HAMDI v. DONALD H. RUMSFELD, SECRETARY OF DEFENSE, et al., link here:<http://law2.umkc.edu/faculty/projects/trials/conlaw/hamdi.html>.

impartiality might reasonably be questioned.”

9. THEREFORE, Kennedy hereby reasonably questions said, Judge impartially, and respectfully wishes Judge Schmehl to recuse from this case due to the current, long-term, ongoing controversy on the public record public which may prejudice the trial jury, and thus exceeds the government's jurisdiction and injures Kennedy in loss of rights.

Date: December 19, 2018

Respectfully submitted,

*/s/ Edward Thomas Kennedy* seal

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